

BUREAU OF SECURITY AND INVESTIGATIVE SERVICES

FINDING OF EMERGENCY

Emergency promulgation of these regulations is necessary for the immediate preservation of the public peace, health and safety, and the general welfare. The following facts provide the finding of emergency.

1. Legislation enacted in 2002 (AB 2880, Stats. 2002, ch. 886) amended the Private Security Services Act and requires the State Department of Consumer Affairs (Department) to develop and approve by **regulation** a standard course and curriculum (that will be required on and after July 1, 2004) for security officers' skills training, and to consult with specified persons in formulating the regulations. (Bus. & Prof. Code § 7583.6 (c), Stats. 2002, ch. 886, § 2.) The law also increased the length of the Department's Bureau of Security and Investigative Services' required Power to Arrest course. Commencing July 1, 2004, the law requires a newly-registered security guard, other than a peace officer meeting certain requirements, to complete an eight (8) hour training course in the exercise of the Power to Arrest within a specified time period from the date that a registration card is issued. (Bus. & Prof. Code § 7853.7; Stats. 2002, ch.886, § 5.) Consequently, in order meet the statutory deadline of July 1, 2004, it is necessary for the Department to adopt emergency regulations.
2. This legislation was enacted to address concerns that public reliance on private security has increased significantly since the terrorist attack of 9/11, and assurance is needed that we have well-trained private security protecting people and property in a crisis response. AB 2880 amended the Private Security Services Act to substantially upgrade the minimum standards for state-licensed private security in California.
3. The proposed regulations specify a 32-hour standard course and curriculum for security officers' skills training that will be required on and after July 1, 2004, as required by AB 2880.
4. The proposed regulations implement AB 2880's requirement that the Bureau's Power to Arrest course be lengthened to eight (8) hours in a manner consistent with statutory requirements.

The Bureau will start the process by identifying and then consulting with subject matter experts. In addition to subject matter experts, this measure requires the Bureau to consult with consumers, labor organizations representing private security officers, PPOs and educators. Once the Bureau completes the consultation phase of this process, they will need to draft regulations and then go through the regulatory process. After the regulations are approved, there needs to be time allotted for the PPOs and training facilities to implement the changes.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code section 7581 authorizes the director to amend, adopt, or repeal regulations for the administration and enforcement of the Private Security Services Act. Statutes of 2002, chapter 886 (AB 2880) allows the Bureau to increase the training requirements for security guards from three (3) hours to 40 hours. This new training will include eight (8) hours of Powers to Arrest prior to a guard standing post. The additional 32 hours must be completed in two segments. The first 16 hours must be completed within 30 days. The remaining 16 hours must be completed within the first six (6) months.

1. Adopt section 643 of the California Code of Regulations to further define the security guard training requirements contained in sections 7583.6 and 7583.7 of the Business and Professions Code. To further delineate the required skills training course, an outline of the course of study has been developed.

AUTHORITY AND REFERENCE

Business and Professions Code section 7581 authorizes the director to amend, adopt, or repeal regulations for the administration and enforcement of the Private Security Services Act. Business and Professions Code section 7583.6 and 7583.7, as amended by Assembly Bill 2880 (Stats. 2002, Chapter 886; Chavez) establishes training requirements for security guards. Proposed Section 643 of Title 16 of the California Code of Regulations will set forth the training requirements for security guards.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: NONE

Nondiscretionary Costs/Savings to Local Agencies: NONE

Local Mandate: NONE

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: NONE

Business Impact: The Bureau has determined that the proposed regulatory action will have no significant statewide adverse economic impact directly affecting California business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

The Bureau has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Private Persons or Entities:

The Bureau has determined that the proposed regulatory action will have a cost impact that a representative private person would necessarily incur in reasonable compliance with the proposed action. However, the increased cost is necessary to insure public safety and security.

Effect on Housing Costs: None